

# **EXHIBIT 157**

10/31/2024

Richard Kadrey, et al. v. Meta Platforms, Inc.  
Highly Confidential - Attorneys' Eyes Only

Chaya Nayak

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN OF CALIFORNIA  
SAN FRANCISCO DIVISION

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RICHARD KADREY, e al., )  
Individual and )  
Representative, )  
Plaintiffs, )  
v. ) Case No. 3:23-cv-03417-VC  
META PLATFORMS, INC., )  
Defendant. )  
\_\_\_\_\_  
)

\*\* HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY \*\*

Videotaped Deposition of CHAYA NAYAK  
San Francisco, California  
Thursday, October 31, 2024

Reported Stenographically by  
Michael P. Hensley, RDR, CSR No. 14114

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1 pretraining, that that's a mitigation?

2 A. That would be how I'd interpret this based  
3 on this reading.

4 Q. And you don't know how that mitigation or  
5 filtering would happen?

6 A. I do not.

7 Q. Do you -- is it possible that it could  
8 happen the same way that filtering out bias happens?  
9 By feeding the model copyrighted material to train  
10 it not to output it?

11 ATTORNEY WEINSTEIN: Object to form.

12 THE WITNESS: I'm unsure.

13 BY ATTORNEY POUEYMIROU:

14 Q. Okay. And then when we go to fine-tuned,  
15 I take it that this is the posttraining part of the  
16 pipeline, fine-tuning. And you -- here you have  
17 copyright memorization mitigations.

18 How do you interpret that?

19 A. I just want to make it clear I did not  
20 write this document.

21 Q. I know. I know.

22 A. You said "you have"; that's why I was --

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1 Q. Okay.

2 A. Can you repeat the question.

3 Q. Yes.

4 So in the fine-tuned section where you  
5 have copyright memorization mitigations, what does  
6 that refer to?

7 A. I'm not sure based on this.

8 Q. Okay. And so is it fair to say that at  
9 this point in time, which is just about a year and a  
10 few months ago, when you joined GenAI, Meta has  
11 mitigations at the pretraining level with respect to  
12 how to deal with copyrighted material, and it has  
13 mitigations with respect to copyright and  
14 memorization at the fine-tuning level?

15 ATTORNEY WEINSTEIN: Object to form.

16 THE WITNESS: Based on reviewing this  
17 document, I could see that interpretation, yes.

18 BY ATTORNEY POUEYMIROU:

19 Q. And do you have any sense of how you might  
20 mitigate memorization in fine-tuning?21 A. Yes. I could. I could -- I have ideas on  
22 how we might do that.

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1 Q. And how would you do it?

2 A. Similar to other mitigations that we do in  
3 fine-tuning. We ask the model a question --

4 Q. Mm-hmm.

5 A. -- and we direct it towards a specific  
6 response.

7 Excuse me. I need to cough.

8 Sorry.

9 Q. No problem.

10 A. So we might teach the model to not  
11 respond.12 Q. And is it fair to say that the -- Meta is  
13 attempting to mitigate the model outputting  
14 copyrighted work because it is trained on  
15 copyrighted work?

16 ATTORNEY WEINSTEIN: Object to form.

17 THE WITNESS: Not necessarily.

18 BY ATTORNEY POUEYMIROU:

19 Q. So how -- why would there be a -- an issue  
20 with a -- why would a copyright mitigation exist if  
21 copyrighted material didn't appear in training data?

22 A. I'm not sure. I -- I could imagine a

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## 1 CERTIFICATE OF SHORTHAND REPORTER

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3 I, Michael P. Hensley, Registered Diplomate  
4 Reporter for the State of California, CSR No. 14114,  
5 the officer before whom the foregoing deposition was  
6 taken, do hereby certify that the foregoing  
7 transcript is a true and correct record of the  
8 testimony given; that said testimony was taken by me  
9 stenographically and thereafter reduced to  
10 typewriting under my direction; that reading and  
11 signing was not requested; and that I am neither  
12 counsel for, related to, nor employed by any of the  
13 parties to this case and have no interest, financial  
14 or otherwise, in its outcome.

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19 Michael P. Hensley, CSR, RDR

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